HIGH COURT OF UTTARANCHAL AT NAINITAL

Bail Application No. 1119 of 2006

CRIMINAL SIDE

Surya Prakash Gupta s/o Sri Ram Dhan Das Gupta
R/O House No. 11 Choti Bamanpuri, P.S. Quila,
District Bareilly, at present Food Inspector,
Municipal Borad, Haldwani, P.S. Haldwani
District Nainital

.....Accused/Applicant

Versus

State of Uttaranchal ..... Opposite Party

Case Crime No. 5600 of 2006
Under Sections 7/13 (1) D read with 13(2) of Prevention of Corruption Act 1988, Challani Vigilance Department, Nainital

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Dated: 21.12. 06

By the Court

Hon'ble Rajesh Tandon, J.

Heard Sri M.S. Pal, Sr. Advocate assisted by Sri V.S. Pal, Advocate for applicant and the A.G.A. for the prosecution.

Accused applicant has applied for bail in case Crime No. 5600 of 2006 under Sections 7/13 (1) D read with 13(2) of Prevention of Corruption Act, 1988.

According to the prosecution case a raid was conducted by the Vigilance Department and the accused applicant was arrested taking bribe of Rs.30,000/- from one Sri Neeraj Joshi for renewal of license of "Lee Kichan".

Counsel for the applicant has submitted that the accused applicant is heart patient and there is no facility for treatment of such kind of disease in the Jail. The applicant is a public servant and there are no chances of his absconding or tempering with the prosecution evidence.

I have considered the respective submissions of the parties. Without expressing anything on the merit of the case and considering the ailment of the applicant, in my opinion, it is a fit case for bail.

Let the accused applicant be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the Magistrate concerned.

(Rajesh Tandon, J.)

Dated 21.12.2006
*Dhyani